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# Learning about fairness: an international study

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## Abstract

This paper uses survey responses from around 13,000 grade 9 pupils in French-speaking Belgium, the Czech Republic, England, France and Italy to examine the nature of fairness in schools. Can differences between countries, types of schools or interactions with teachers, influence what pupils regard as fair, either at school or more widely? Despite the somewhat different kinds of school systems and countries involved in this study, the views of pupils in each are largely the same on many issues. Pupils clearly distinguish between the universal aspects of fairness, such as respect for pupils by teachers, and the discriminatory ones, such as merited reward and punishment. In fact, in pupil accounts it is the teachers who tend to create unfair situations, for example by using discriminatory principles in domains more suited to universal ones. If accepted, this has implications for the preparation and development of all teachers. One major difference between countries is that pupils in the more comprehensive school system at age 14 of England are less tolerant of extra help being given to a struggling pupil. This may be because they are more likely to encounter diversity of talent and motivation than pupils in heavily selected and tracked systems elsewhere. England has a policy of including pupils with additional learning needs in mainstream schools, and pupils there are most in favour of pupils with difficulties being taught separately. These findings and others like them suggest that childrens' growing sense of fairness could be influenced both by individual interaction with teachers and the nature of a school system.

## Keywords

Equity in education, international survey, criteria of fairness, Belgium, Czech Republic, England, France, Italy

## Introduction

This paper uses survey responses from around 13,000 grade 9 pupils in Belgium, the Czech Republic, England, France and Italy to examine the nature of fairness in schools. It starts by considering a number of principles of fairness and shows that these are always sensitive to the domains in which they are applied. The ensuing research questions include: do pupils and their teachers comprehend and appreciate this complexity? Are there differences between countries and systems in the

application of principles of fairness in schools? And do these differences appear to influence what pupils regard as fair? The paper continues by outlining the methods used in the survey, and then illustrates the results in terms of what pupils report about themselves, about others, about their ideals, and about fairness in the family and wider society. It concludes by summarising the findings and their likely implications.

### **What is fairness?**

The paper starts by considering what pupils might mean by fairness. There are several well-known principles, such as equality of treatment or of outcome, that purport to lay down what is fair. But there is no principle or set of criteria that adheres in all educational situations. Any single formal criterion intended to enhance justice will be flawed in the sense that it will tend to lead to injustice in some situations (or at least it may lead to no improvement in justice, e.g. Themelis 2008). For example, should schools and teachers discriminate between pupils? We would probably not want schools to use more funds to educate boys than girls, or offer different curriculum subjects to different ethnic groups. But we might want schools to use more funds for pupils with learning difficulties, or to respect the right of each pupil to gain a qualification in their first language. Should a teacher be allowed to punish a pupil who misbehaves, or reward a pupil who has shown talent or effort? If so, then the teacher is being discriminating but perhaps justifiably so. As another example, if we adhere inflexibly to a principle of equality of opportunity, then the likely result in education will be marked inequality of outcomes. Is this acceptable? Those who start with greater talent, who can marshal greater resources at home, and are the most interested in education, or who put the most effort into their study may tend to be the most successful. Research with excluded pupils suggests that such 'equality' of treatment was perceived as highly unfair by pupils with specific or additional educational needs, and indeed, tended to exacerbate their disruptive or rebellious behaviour (Riley 2004). If, on the other hand, we seek greater equality of educational outcomes then we may need to treat individuals unequally from the outset, identifying the most disadvantaged and giving them enhanced (and so unequal) opportunities. In short, we must adapt any universal principles to each specific set of interactions (Boudon 1995).

Equality of outcome could refer to identical outcomes for all, aggregate equality between socio-economic groups, or equality of outcomes for individuals of equivalent talent (Rawls 1971, Trannoy 1999). Appropriateness of treatment could involve no discrimination or positive discrimination, unequal resources between advantaged and disadvantaged, proportionate punishment for transgression, proportionate reward for performance, effort, or improvement, and proportionate final outcomes for performance, effort, or improvement. All of these could be considered 'fair', but many of them would be contradictory if applied together in the same domains or settings (Dubet 2006). There is also a view that no difference, in itself, is unjust and so an inequality is only unjust precisely insofar as it can be avoided by others (Whitehead 1991). Responsibility theory (Roemer 1996, Fleurbaey 1996) suggests a fair allocation of resources between individuals defined by their 'talent' – for which they are not responsible – and their 'effort' – for which they are.

Table 1 is derived from our earlier work in this area (EGREES 2005), and provides a summary of six possible principles of justice, orthogonal to four possible domains

relevant to education. People quite properly and fairly apply different principles in different domains or settings. For example, a pupil might agree that final outcomes such as public examination results could recognise merit and so differentiate between pupils (A in the table). However, the organisation of school procedures such as parent evenings should not be based on merit but should be open to all equally (B in the table). In education, some assets are, or should be, distributed evenly regardless of background differences - such as setting an equal teacher:pupil ratio for schools in different regions (C in the table), or equal respect shown to pupils by teachers (D). Other assets are, or might be, distributed in proportion by contribution and reward (E, F) - such as formal qualifications or punishments (Trannoy 1999). Further assets may be deliberately distributed unequally without consideration of contribution, such as greater attention given to disadvantaged pupils (G). Each column in Table 1 could also be further sub-divided, so that final outcomes might include minimum educational thresholds, such as basic literacy, which it would be fair for everyone to attain (H). All of these actions could be defended as equitable by the *same* person consistently, as they strive to remain fair while respecting differences between settings and the actors involved (Lizzio et al. 2007, Thornberg 2008).

Table 1 - Some principles of justice and the areas in which they might be applied

Principles	Domains or settings		
	School procedures	Classroom interaction	Final outcomes
Recognise merit			A
Equal opportunity	B		
Equal outcome	C		H
Respect individual		D	
Fair procedures		E	F
Appropriate treatment	G		

Note: there could be more principles here, and there should be more settings, such as family and home, or wider society. But the table has been heavily simplified.

There is some evidence that pupils are sensitive to these complications, in developed countries (see our earlier five nation study, EGREES 2005). Pupils struggling because of inherent weakness or even a temporary problem like reduced mobility or illness are excepted by other pupils from equal treatment. They are ‘permitted’ greater teacher concern because they are not to blame for their difficulties (Stevens 2009). These struggling pupils can be contrasted with those seen by others as showing lack of willingness or interest, who are to blame and therefore must *not* receive extra attention. Struggling pupils only have a period of grace however. If they are not seen as making their best efforts to remedy the situation then they start to be blamed, and so are responsible and therefore unworthy of help. Unfortunately, this argument falls down if effort or willingness is itself the product of motivation, which is itself partly a product of their socio-economic background for which individuals are not responsible. Pupils appear to distinguish between moral judgements of welfare and rights and justice (such as their effect on others), transgressions of which are wrong regardless of any laws, and social conventions (such as expectations and norms), with transgressions which are acceptable if no explicit rules prohibit them (Nucci 2001).

Inevitably, perhaps, some pupils report being treated unfairly – including being humiliated by their teachers (Dubet 1999, Merle 2005). Across school systems, we

know that some pupils are treated unfairly by some teachers, and that this has been the case for some time (Spender 1982, Sirota 1988). These pupils' feelings of injustice matter. They matter for moral reasons, because there is an implicit promise in the basic conception of the modern educational system that every pupil's development and achievement is equally important for the system and for staff. Pupils' feelings may matter for academic reasons, because unfairly treated pupils are likely to react in a way that will impair their learning process and, more generally, pupils in classes and schools where a lot of injustice exists are likely to learn less well. These feelings matter for educational reasons, because unfairness may harm the personal development of pupils (lowering self esteem, for instance). They matter for civic reasons, because unfairly treated pupils may develop inadequate conceptions of justice and other attitudes or beliefs detrimental to social cohesion and participation in active democracy. These feelings are probably even more important for overtly disadvantaged pupils, as there is evidence that the opinions of teachers matter more to them than to other pupils (Meuret and Marivain 1997). And we have some evidence from successive PISA studies that low achievers and pupils from socially disadvantaged backgrounds feel more injustice from their teachers than other pupils do (Meuret and Desvignes 2005). The judgments on justice in schools expressed by the least able pupils are sometimes more severe than those expressed by others (EGREES 2005), either because they *were* more often the victims of school injustice, or because they tended to emphasise external causal attributions.

Do pupils and their teachers comprehend and appreciate the complexity outlined here? Are there differences between countries, systems and teacher behaviour in the application of principles of fairness in schools? And can these differences influence what pupils come to regard as fair?

## **Methods**

To answer these and other questions we undertook a large international survey. Our fieldwork took place in 2006/07, involving teaching units containing pupils with an average age of 14, in grade 9 of their secondary education in Belgium (French-speaking), the Czech Republic, England, France and Italy. The fieldwork was led by native-speaking researchers in each country (see EGREES 2008 for full details). All five countries have developed economies, with compulsory schooling from a young age. An international approach was tried, because it allowed us to consider the natural international variation in school organisation as a potential explanation of any observed differences in the experience and sense of justice developed by pupils. This could provide important indications for policy-makers and practitioners about the role of school organisation in creating equity and helping to form pupils' sense of justice. We reprise here some of the salient features of secondary education in each country that are referred to later in the paper. Of course, schools are only one part of the difference between the samples, but since one of the main findings of the paper is that the views of pupils are often very similar across all countries and school systems these cultural and economic differences are not discussed here (but see EGREES 2005 and EGREES 2008).

In the French-speaking community of Belgium, secondary education starts at the age of 12 with a common curriculum lasting for two years. Pupils are then tracked into

general, technical or vocational routes, with different curricula attracting distinct social and academic populations (Demeuse et al. 2007). The OECD PISA studies reveal a large gap between the attainment of the 25% of 15 year-old pupils with the most privileged socioeconomic background and the 25% with the least. In the Czech Republic, pupils are increasingly tracked in academic and other programmes from the age of 8 onwards. The proportion of pupils with special needs educated separately is among the highest in the EU countries. Less than 2% of young people at school are of ethnic minority origin. According to PISA 2003, in the Czech Republic the impact of family background on pupil performance is very high and the difference in results between schools with higher and lower socio-economic status (SES) intakes is 1.5 times larger than the OECD average (Eurydice 2008). England has a universal, compulsory secondary school system for pupils from the age of 11. Around 7% of pupils attend fee-paying schools, and a tiny fraction of maintained schools are selective, but the system remains largely comprehensive in nature, with high levels of inclusion of pupils with special needs (Harris and Gorard 2009). Primary schooling in France, pupils may be tracked into academic and vocational routes by the end of the third grade of middle school. By the age of 14, about 80% of pupils go to the high school (lycée) while 20% (mostly the less able) are oriented towards a vocational school (lycée professionnel). Around 4% attend classes or schools for pupils with severe learning difficulties. In Italy, the first cycle of compulsory education includes primary education for children aged 6-11 and lower secondary for those aged 11-14. The second cycle, for those aged 15-19, consists of upper secondary education or a vocational training route (Eurydice 2008). In 2005, the graduation rate for upper secondary school pupils was 82%, which is equal to the OECD average for developed nations.

A list of all schools in each country, obtained from government sources, was sorted into size order, and divided into 100 sub-lists of approximately equal-sized schools, in order to generate a sample for each country of 100 schools varying in size. Two cases were selected randomly from each list (the second case being the reserve). To these were added six institutions in each country where young people were educated away from mainstream, including PRUs, juvenile detention centres, and special schools. On average, the achieved sample of schools was just over 80% of the ideal of 100 in each country, giving an approximate total of 430 schools (with around 13,000 pupils), plus the special cases (Table 2). The number of replacement schools that had to be used was high, and the number of pupils per school varied, meaning that we do not treat them as a genuine cluster randomised sample. We are more concerned with the effect sizes of differences between groups of pupils and types of schools than with the probability of being able to generalise from each national sample to the population of that country. However, comparison with the sampling frame, the achieved characteristics of the sample and the range of schools taking part suggests that the sample is representative of each country (Education at a Glance 2007, Gorard and Smith 2010). For more details on the sampling procedure and the number of replacements used in each country, see EGREES (2008).

Table 2 - Number of pupil forms returned, by country

Belgium (Fr)	1,608
Czech Republic	1,512
England	2,836
France	3,627

Italy	2,992
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Our pupil-level questionnaire was designed to last no more than 35 minutes. Some young people, especially in institutions for pupils educated ‘otherwise’, were given an abbreviated version to complete, some had questions read and their answers written for them, and some took part as though it were a structured interview. These differences were necessary to allow all volunteers to participate as fully as possible. All pupils were asked about events occurring since the beginning of the current school year. The instrument addressed the ‘amount’ and type of injustice pupils reported experiencing, and the perpetrators of any injustice. It presented vignettes on hypothetical situations in school, giving us the possibility of comparing pupils’ actual experiences of fairness with their ideal model of a fair school. It looked at the potential outcomes of school experience, such as professional aspiration, and at external factors such as the pupils’ home background, parental occupation and education, treatment by parents, and wider political and societal views. The first version of the instrument was used by five countries in EGREES (2005). It was adapted and piloted with 3,000 pupils in 2006, before being prepared, back-translated and used in the current study. The full instrument is available at EGREES (2008).

This paper presents the percentages of pupils in each country who agreed with any statement (on a scale with a middle “neither agree nor disagree” option). Since the sample is not random because of replacement, and there is no other form of randomisation involved, the use of significance tests or confidence intervals is irrelevant. Even if significance tests are deemed valid for use with random samples (and this is not at all clear, see Gorard 2010), once traditional generalisation to the population has been decided the analyst is still left with the issue of deciding on the substantive importance of any differences found. It is quite clear that any study, such as this, using imprecise measurements of complex ideas will not generate exactly the same percentages for each country, language translation, or sub-group even where the underlying concept being measured does not differ (as in Meehl’s hypothesis). So we are left with the more sophisticated approach of using judgement to decide whether revealed differences between countries or sub-groups are worthy of commentary and explanation (Gorard 2006). To assist and illustrate, for each of the questionnaire themes, the paper also presents some examples of relevant open comments given by pupils in England (the only European country in the study to collect such data from all schools as a matter of course). More complex analyses with the same dataset include factor analysis, with no clear results (Gorard and Smith 2010), and logistic regression confirming and extending the results here (Gorard 2011). First, the paper summarises what pupils report about their relationships with teachers, leaving discussion of what the results might mean for the formation of a sense of justice to later sections.

### **The treatment of individual pupils by teachers**

The questions with high and low agreement about pupil treatment by teachers are the same across all countries, and the results are generally remarkably similar (Table 3). The picture of pupil:teacher relationships is a generally positive one, with 60% to 70% of pupils reporting that they get along well with teachers, and only 10% disagreeing with this, such as:

I expressed an opinion in class, my teacher disregarded it, then another pupil said the same thing and she congratulated them. My opinion was not respected.  
(England, female)

Table 3 – Percentage of pupils agreeing with each statement about their relationship with teachers

	Belgium (Fr)	Czech Republic	England	France	Italy
I got along well with my teachers	70	72	63	66	59
Teachers encouraged me to make my own mind up	50	48	56	51	66
Teachers treated my opinion with respect even if we disagreed	48	29	42	45	49
I was always treated fairly by my teachers	47	35	39	46	51
Teachers got angry with me in front of the whole class	33	48	44	36	25
I felt as though I was invisible to most teachers	28	12	17	33	23

Note: this table shows only a selection of the relevant indicators.

Looking at these indicators of teacher behaviour as a group, there is a tendency for pupils from the Czech Republic to be less positive about their teachers' explanation of topics, the respect they give to pupil opinions, and their general fair treatment. Nearly half of Czech pupils reported that a teacher had been angry with them in front of the class that year. The reported picture in Italy is slightly more positive, as it is in Belgium and France except that a substantial minority of pupils in both of these countries report feeling invisible to their teachers. Overall, less than half of pupils consider their teachers to be fair, interested in pupils' well-being, and so on. Whether pupil views are accurate or not, the fact that they report this should be a concern across all countries. As illustrated later, there is a possible tension between the nature of the fair treatment that pupils report that they ought to experience and the level of attention that teachers might feel is commensurate with effective pedagogic practice.

A very similar picture to above appears in the kinds of indicators in Table 4, with considerable similarity across countries. The responses in each country are almost exactly the same to the questions about whether marks reflect the quality of work or of effort. Perhaps pupils do not distinguish the two, or perhaps they generally believe that effort leads to quality. There is more variation in the item about whether teachers continued explaining until the pupil understood. This may be partly to do with tracking and setting. Presumably, in heavily tracked or segregated classes, the range of pupil ability or talent in any classroom will be lower than in more comprehensive settings (like England). This might make it easier for teachers to carry all pupils along with their explanations. But while this might account for a higher level of satisfaction in Belgium, it does not really explain why the figure is lower in the Czech Republic and higher in Italy. So there may be a real pedagogic difference here. Either way, there is a clear lacuna here for pupils. Many teachers in all countries are not explaining new ideas and concepts fully enough for a high proportion of all pupils.



Table 4 – Percentage of pupils agreeing with each statement about distributive justice

	Belgium (Fr)	Czech Republic	England	France	Italy
My marks usually reflected the quality of my work	62	70	64	59	58
Teachers continued explaining until I understood the topic	60	41	48	52	69
My marks usually reflected the effort I made	59	69	63	56	56

### The treatment of all pupils by teachers

Pupils are somewhat less content with their teachers' relationships with other pupils than they are with their own relationship with teachers (Table 5). Sometimes this is, presumably, simply a matter of frequency. For example, more pupils report having seen a teacher get angry in front of pupils than report a teacher being angry with them in front of pupils. This is only to be expected, if the reports are accurate and not all pupils have been subject to this treatment. In other respects the treatment experienced by each individual and all pupils is remarkably similar. For example, around 40% of pupils said that teachers treated their opinions with respect (Table 3) and around 40% also said that teachers treated all pupils' opinions with respect (Table 5). This could, of course, be lack of sensitivity to the difference in the questions on the part of respondents, but we have no evidence that this is so and on other questions, such as about teachers getting angry, the responses for self and others are very different. We assume, therefore, that these are useful responses, and that this represents a real gap between what pupils want and what they receive from teachers.

Table 5 – Percentage of pupils agreeing with each statement about the relationship of most pupils with teachers

	Belgium (Fr)	Czech Republic	England	France	Italy
Teachers got angry with a pupil in front of the whole class	77	88	60	80	70
Teachers gave extra help to those pupils who needed it	67	55	66	62	68
Hardworking pupils were usually treated the best	62	68	67	69	59
Teachers had favourite pupils	60	76	69	64	58
Teachers respected pupils' opinions even if they disagreed with them	49	31	39	46	46

Again there is broad agreement across all countries, but with the reports again less favourable from the Czech Republic than elsewhere. Around one third of pupils in all countries report that all pupils were treated the same in class (not necessarily the fair approach), but around two thirds reported that teachers had favourites - almost certainly not deemed a fair approach. In fact, the issue of favourites led to many strongly worded complaints such as:

I try really hard in all my tests and homework, but I don't get grades which reflect the effort I put into it. Also some teachers have their favourites and ignore others (England, female)

The comments from English pupils point to a slightly different perspective on which groups of pupils are treated more fairly by their teachers. The English pupils tend to be concerned that their peers who were less academically successful or who misbehaved in class claimed the lion's share of the teacher's attention and praise. In other countries it was more often the pupils who achieved the highest marks who were seen to be favoured.

Only around half of all pupils believe that marks are given because they are 'deserved', fewer report that pupils are punished fairly, and even fewer think that their teachers explain things in such a way as to allow all pupils to understand (Table 6). These are serious charges that appear in every country and for every group of pupils, although for the first three rows the situation is even less positive in England than elsewhere. Pupils are no longer thinking about themselves here (a fact reflected in the different levels of agreement to these items compared to Table 4, for example), and so this is not an attempt at self-justification or over-sensitivity to their own position. Something is not right.

Table 6 – Percentage of pupils agreeing with each statement about distributive justice for most pupils

	Belgium (Fr)	Czech Republic	England	France	Italy
Some pupils were punished more than others for the same offence	61	53	70	64	48
Pupils usually got the marks they deserved	58	60	51	54	46
Teachers punished bad behaviour fairly	46	45	37	42	47
Teachers continued explaining until all pupils understood the topic	40	37	43	34	47

Pupils report that being treated differently is not necessarily problematic if this differential treatment is deemed appropriate and fair. The open responses show, however, that this is not always happening. Teachers do not appear to be sensitive to the more subtle distinctions drawn by pupils. Put another way, many teachers appear to be mis-applying the criteria of justice to the 'wrong' domains in Table 1. One recurring example of apparent inequity stems from respondents' observations that teachers were inconsistent and unfair when punishing pupils, that teachers had favourites and that certain groups of pupils (for example, the hard working ones) were treated better than others. The issue of even-handed punishment is the one which generated the most complaints from pupils (in England):

When a pupil can wear their own coat throughout the class and another pupil wears a ring and is asked to remove it. Certain pupils are allowed to sleep in lessons (England, female)

In our school we recently had a new PE teacher. I forgot my PE kit and so did another girl in our class. She fined me £2.50 and not the other girl saying that it was her first time for forgetting the PE kit (England, female)

It is these episodes, as much as anything, that help pupils decide that a school or a teacher is unfair. Appropriate discrimination in terms of need, effort and attainment are all accepted or even preferred, but to be punished more harshly than another for the same thing leads to lingering resentment. Punishment and reward are not, for pupils, like respect that all or none should have. They must be warranted and distributed proportionately and clearly:

How the naughty children get more attention and get highly praised when they manage to produce the same amount of work as the rest of the class which they should be doing anyway (England, female)

I had finished some work and asked my teacher to read it and see if I could improve, but she said 'no' because she was dealing with other pupils who were misbehaving (England, male)

### **The interaction of pupils with other pupils**

Pupil reports of their relationships with other pupils are mostly positive (more so than with teachers) and, as in their interaction with teachers, similar in many respects across all six countries. Over 90% of pupils have good friends, less than 10% are left out by others, and only around 7% feel invisible to their peers (Table 7). Most pupils report enjoying working with others, or having a friend who gets low marks at school. It is important to stress these positive results and similarities so that discussion of any differences or problems is considered in this context.

Table 7 – Percentage of pupils agreeing with each statement about their relationship with other pupils

	Belgium (Fr)	Czech Republic	England	France	Italy
I have good friends in school	94	89	92	94	89
I had a friend(s) who doesn't come from country of test	80	28	50	65	58
I enjoyed working with other pupils	79	77	80	78	57
Something of mine was stolen	21	31	31	20	14
I was left out by other pupils	13	8	12	14	6
I was deliberately hurt by another pupil(s)	10	9	22	10	4
I was bullied by other pupils	8	4	15	9	5
I felt as though I was invisible to my school mates	7	8	7	8	6

The overall figures for negative episodes involving other pupils are, thankfully, low in all countries. But they are still substantial because of what they (could) represent. School can be a frightening and disagreeable experience. Again, Italy and to a slightly lesser extent Belgium and France have the most positive (or least negative) reports. Bullying, violence and so on are relatively low in Italy, but then so is enjoying working with other pupils. The proportion of pupils from the Czech Republic with a friend from another country is very low, presumably partly explained by recent immigration patterns. Nevertheless, there could also be issues of integration there that need addressing. Unsurprisingly perhaps, pupils whose family come from outside the test country in any country are more likely to have friends in the same position. Pupils with low marks, who have repeated a year, or who have moved to the country of the survey after birth, are somewhat more likely to report being left out or bullied. An alarmingly high proportion of pupils in the Czech Republic and England (31%) report having had something stolen by another pupil at school in that year. Pupils are notorious for attributing lost articles as theft, but the differences between countries here are worthy of more attention.

The number of pupils deliberately hurt by others and reporting bullying is quite high in England alone. This bullying is more widespread among the lower achievers. However, it is not clear whether this is an indictment of the English system, evidence of the unconscious victim thesis in other countries, or of enhanced awareness of bullying among English children. It can be that programmes intended to reduce negative experiences such as bullying lead, ironically, to an increase in reports. However, the number of pupils reporting being hurt by another pupil is also high in England. This suggests that the higher rate of bullying reported there is not to do with the phenomenon of unconscious victims in other countries or awareness in England.

Bullying by pupils is intrinsically unfair and unpleasant, but for several pupils the teachers also bear some responsibility for not dealing with it adequately, or in some examples equitably. As in Boulton et al. (2009), the minority who report serious issues like bullying tend to have poorer relationships with the teachers. Some pupils used the open response question to describe their experiences of being bullied by other pupils:

I was bullied by two girls in year 8 and 9, I did tell a teacher and it did stop for a little while but it started again. These girls were bad behaved and known bullies I think they should have been excluded because I wasn't their only victim (England, female)

Asians cause all the trouble and fights in this school. It will be more peaceful and a better place to be without them. When they get told off Asians just say that teachers are being racist and it gets dropped, not fair (England, male)

### **Views on justice in schools**

In assessing what it is that pupils report a school or teacher *should* be like, we begin to identify the criteria of fairness they are using. Are the differences in the reported treatment of pupils by others (as noted in the three sections above) related to how

pupils then decide what is fair or not fair? There is near unanimity across all countries that all pupils should be respected (Table 8). At least within the domains or settings represented by school, respect for all pupils by teachers is a universal principle, even where there is disagreement between teacher and pupil. But there is also widespread agreement that in other domains all pupils do not need to be treated equally. It is, according to these respondents, fair for pupils struggling through no fault of their own to be given extra attention (presumably as a temporary measure, see below). It is also fair for teachers to allocate marks and praise differentially in proportion to talent and effort. Respect does not have to be deserved, in this logic, but a reward does.

Table 8 – Percentage agreeing with statements about how schools should be run

	Belgium (Fr)	Czech Republic	England	France	Italy
All pupils should be treated with equal respect	94	92	84	93	94
Teachers should treat pupils' opinions with respect even if they disagree	94	87	87	93	86
Teachers should take care not to humiliate pupils	90	92	80	91	90
Teachers should continue explaining until all understand	88	82	81	84	85
Pupils' marks should reflect quality of their work	81	91	71	81	84
Teachers should praise deserving pupils	81	80	87	82	72
Pupils' marks should reflect their effort	73	73	69	77	72
Teachers should treat hardworking pupils the best	20	10	27	22	27

The domain-specific nature of the underlying criteria of justice applied by pupils is made clear by the minimal support across all countries for the idea that hard-working pupils should be treated better by teachers. Pupils have already agreed that hard work or effort is important in terms of teachers awarding marks. This is not a contradiction. It seems that hard work *should* be rewarded in the marking – slightly more so than quality of work. But in all other respects, hard-working pupils are to be treated the same as others. According to the pupils it is again the teachers who are not observing the domain boundaries, in inequitably generalising their appropriate treatment of talented or hard-working pupils in the domain of marking to other domains relevant to trust, autonomy and respect perhaps.

In order to understand more about the conflicting criteria of justice in play when making decisions about equity, we devised a number of vignettes or small stories that are partially reproduced below (using the names of characters from the English versions). These stories appeared to be particularly useful when dealing with some of the most vulnerable pupils. One scenario is:

Jacinta has difficulty reading and finds it hard to keep up in class. The teacher has to spend a lot of time helping Jacinta and gives her a lot of attention.

Sometimes the other pupils have to wait for the teacher to stop helping Jacinta and to come and help them.

a) Jacinta needs extra help so it is fair that the teacher should spend more time helping her.

b) The teacher should spend equal time with all the pupils. It is not fair

This is the vignette that provoked the largest disagreement between countries. In four countries the majority of pupils used a principle of discrimination, allowing extra help for someone struggling in class. For them, equal treatment is not fair in this domain. But in England the majority of pupils went for a strict egalitarian response (Table 9). The name used in the vignette was deliberately chosen to portray the possibility of a recent immigrant with the home language of the survey as a second language. Since this name was changed in each country we cannot be sure that this implication was equally forceful. Nevertheless the scale of the difference is remarkable, dwarfing anything reported in this paper so far (where the differences in all countries between items have been much greater than differences between countries for any item). Is this difference due to the more inclusive nature of English schooling in some way?

Table 9 – Percentage of pupils agreeing with the first option in the ‘Jacinta’ vignette

Belgium (Fr)	Czech Republic	England	France	Italy
70	81	39	66	72

The next example involves a three way choice for pupils, and may help understand the difference.

If a pupil has difficulty reading and finds it hard to keep up in class, do you think it is fair that

a) the teacher spends more time helping this pupil

b) this pupil should have to work harder to keep up with the rest of the class

c) the pupil is taught in a different class

Again, England stands out in their responses. Most of the other country pupils are divided between requesting that a struggling pupil makes more effort and a teacher gives more help (Table 10). In reality of course these approaches are not exclusive. Indeed, support for the teacher giving extra help may be contingent on the pupil being deserving of help by showing that they are making an effort (according to responsibility theory). In England there is little support for extra teacher attention. This is deemed unfair. Instead, English pupils predominantly support the pupil being taken out of class for extra support. Perhaps this also links to their support for pupils of different religions being taught in separate schools. In England, at least, the comprehensive nature of some learning settings and the inclusive nature of schools in contrast to the widespread retention of special schools in France and elsewhere, might mean that the issue of help for challenged pupils is more real and more time-consuming. It is easier for pupils to agree that others be given extra help in a heavily

selective educational setting, for example, because the cost of enforcing that principle will have been lower for those pupils.

Table 10 – Percentage of pupils agreeing with the each option in the extra help vignette

	Belgium (Fr)	Czech Republic	England	France	Italy
a) help	42	56	28	49	64
b) effort	51	34	9	39	32
c) separate	5	9	59	8	3

In a further vignette, when a pupil is badly behaved (as opposed to struggling) then there is very little support for the teacher giving the culprit extra attention. Presumably, in this case the attention is neither deserved by the efforts of the pupil nor required to overcome an inherent disadvantage, again in line with responsibility theory. Most pupils therefore want equal teacher attention in this situation, and there is even substantial support, internationally, for the idea of a badly behaved pupil forfeiting attention.

### **Implications for equity and the preparation of teachers**

Despite the different kinds of school systems and countries involved in this study, the views of pupils are very similar on many issues. And they appear to confirm, or at least not to disconfirm, the ideas of responsibility theory and the domain-sensitivity portrayed in Table 1. Pupils clearly distinguish between the universal aspects of fairness, such as respect for pupils by teachers, and the discriminatory ones, such as merited reward and punishment. And they distinguish between those advantages (and disadvantages) that are the result of effort or talent and those that are not. In the pupil accounts here it is the teachers who must be assumed to create unfair situations by using discriminatory principles in domains more suited to universal ones, or vice versa. If accepted, this has implications for the preparation and development of teachers, who have a responsibility not just for school justice but for their pupils sense of what is right for and in wider society.

It is important to repeat that there is a reasonable level of equity in all schools in all countries and as reported by all sub-groups of pupils (such as girls and boys, different and different occupational and language groups). Many pupils enjoy their education, having been treated well at school, and feel that their learning has purpose. Most have good friends, and only a minority report unpleasant episodes such as bullying. Many pupils trust their teachers and find them helpful and supportive. These experiences show very little patterning in terms of the kinds of pupil background variables so often found to influence attainment. In most respects, pupil background, their family, and the type of school or institution they attend are only weakly related to their experiences of justice and injustice, if at all. Those outside mainstream schooling were in many ways the most positive about their treatment and experiences. Recent immigrants generally report being well treated, and are at least as likely as others to have good relationships with teachers, and high hopes for the future. This is highly encouraging, since even if we were to conclude that some pupils are objectively disadvantaged, the pupils themselves are not aware of this or are not treated in an

inferior way. Giving pupils a voice in research does not lead to a ‘whingefest’ in which pupils complain disproportionately about schools, teachers, and other pupils. Given that so much is working well and under control, at least according to the pupils who ought to be in a good position to judge, the slightly more sophisticated issues of equity in education discussed below can be dealt with effectively and rather cheaply by the education systems of most developed countries.

Equity is difficult to define, but it represents that sense of fairness which underlies decisions about the principles of justice to apply in different domains for a given set of actors. In specific situations there is considerable agreement, among pupils, about what is fair and what is unfair. Equity is an important ideal for education, in terms of school as a lived experience as well as its longer-term outcomes for citizens and society. Where equity is denied, negative consequences follow. An example of equity in classroom interactions is represented by teachers’ respect for their pupils’ opinions, even when they might disagree with the pupils. Disagreement is an important part of learning. Encouraging the ideas, arguments and evidence advanced by pupils, on the other hand, encourages learning. Respect for the individual despite a difference of opinion, and even where the pupil ideas are demonstrably incorrect or facile to the more sophisticated teacher, encourages a sense of personal autonomy and self-worth in the young person. It, therefore, influences the pupil’s self-perceived position in social interactions, particularly vis a vis figures of authority. There is widespread agreement among all young people that all pupils should be treated with respect by teachers, their opinions should be valued, and that they should not be humiliated in any way. Few report that this takes place consistently, however. There is, therefore, a clear mismatch between what pupils want and what they experience, in many ways. This needs to be addressed urgently.

A very similar mismatch appears in the findings for pupil autonomy. It was clear from all forms of evidence that control of the pace of their own learning was important to nearly all young people. Both in comments about classroom processes and in their responses to questions about teachers’ explanation, pupils made it clear that this very simple personalisation of their learning is too often missing. The term ‘equity’ appears in the curriculum and some professional development resources used in initial teacher education in England and elsewhere. But the conception of equity used within them is often very limited – confined to the boy/girl attainment gap in one example. The more sophisticated but apparently conflicting principles of justice, developed from something like Table 1, should be part of the development of all teachers, in all developed countries like those taking part in this study. It could help emerging teachers to distinguish consistently between the universal principles (i.e. applicable to all participants in the setting), such as autonomy and respect, and the principles that legitimately require discrimination.

An important finding to emerge from this work, and one which has implications for implementing an effective curriculum for citizenship in schools, is that teachers were not always perceived to be treating pupils fairly and consistently. A common view was that teachers had pupils who were their favourites, that rewards and punishments were not always applied fairly, and that certain groups of pupils were treated less fairly than others. How can a curriculum, which embraces issues of fairness and democracy, be effectively implemented if the pupils themselves do not mostly believe that their teachers are generally capable of fairness and support for democracy in



school? In one sense, it does not really matter what the curriculum states about citizenship, for example, compared to the importance for pupils of experiencing mixed ethnic, sex and religious groups in non-racist and non-sexist settings, and genuine participation in the decision-making of the schools.

Pupils want marks to reflect the quality of their work, or the effort they put in. Where necessary, they want punishments to be meted out consistently. Too many pupils report that this does not happen. Pupils do not want hard-working pupils to be favoured (except in assessment terms). But most report that this is a problem. Pupils are happy for their assessed work to be discriminated in terms of quality and effort, but they complain that hard-working, high-attaining pupils should not otherwise be favoured by teachers. This is a clear and strict application of the principle of merit, and one which teachers are widely misusing, by using it in the wrong settings.

Again as part of teacher continuing development, teachers should be prepared to keep a continuous watch on their apparent tendency to stray into domains inappropriate to the principles of fairness they are using. Pupils are not especially naïve. They know that teachers will get along better with some young people than others, and that they may even have favourites. All relationships are like that, and are not inequitable in themselves. But being more friendly with one pupil than another is very different from showing more respect to one of them or punishing another more severely for the same offence. Again, it is the transfer of differential treatment to another setting (another column in Table 1) that makes it unfair. It is the combination of actors, settings and principles that help decide what is fair treatment.

Given that there are few large differences in pupil responses between countries, it is important to consider those that do emerge. Schools in the Czech Republic have some issues to face about inclusion, in particular. Perhaps the major difference between countries is that pupils in the more comprehensive school system at age 14 of England are less tolerant of extra help being given to a struggling pupil. This may be because they are more likely to encounter diversity of talent and motivation than pupils in heavily selected and tracked systems elsewhere. England has a policy of including pupils with additional learning needs in mainstream schools, and pupils there are most in favour of pupils with difficulties being taught separately. This is not an argument for setting and streaming – far from it. But these findings and others like them suggest that the nature of a national school system *might* influence childrens' growing sense of fairness. This is another factor, apart from efficiency or effectiveness, that policy-makers need to bear in mind when designing or intervening in school systems. Schools are mini-societies with a potentially powerful lifelong influence on young peoples' view of what a fair society is.

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